IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1238 OF 2006

1. Shri Satish Madhukar Ranbhise
2. Rekha Madhukar Ranbhise ... Applicants.

V/s

State of Maharashtra ... Opponent.

Mr.G.V. Bhagat & W.I. Shaikh for the applicants.
Miss. M.M. Deshmukh, A.P.P. for the State.

CORAM : V.M. KANADE, J.
DATE : 27TH MARCH, 2006.

P.C.

. Heard the learned Counsel for the applicants and the learned APP for the State.

2. The applicants have an apprehension that they are likely to be arrested in connection with C.R. No.I-104/2006 registered at Mahatma Phule Chowk Police Station, Kalyan for the offences punishable under Sections 498-A, 306 r/w section 34 of Indian Penal Code.

3. It is alleged that the wife of the applicant No.1 committed suicide by consuming insecticide. The deceased was at an advanced stage of her pregenancy.

The complaint was lodged by her brother in which he has expressed the cause of death of his sister. He has alleged that his sister was mentally tortured by the applicants and dowry was demanded by the applicants. It was alleged that she has consumed Begon Spray and died.

4. The learned APP has shown the post mortem notes. The Doctor who has performed the post mortem has not expressed any opinion regarding the cause of death, neither has he stated that in this case poison was found in the body and opinion regarding the cause of death has been postponed till the receipt of the C.A. report.

5. Since there is no evidence as on today to suggest that the death of the wife of applicant No.1 was unnatural and the cause of her death is not established, the applicants are entitled to be granted anticipatory bail for a limited period till the receipt of the Chemical Analyser’s report. If the Chemical Analyser’s report discloses that the poison was taken or administered then in that event the applicants shall apply for a bail afresh. Under these circumstances, the applicants in the event of their arrest in connection with C.R.No.I-104/2006 registered with Mahatma Phule

Chowk Police Station, Kalyan for the offences punishable under Sections 498-A, 306 r/w 34 of Indian Penal Code, be released on bail in the sum of Rs. 5000/- each with one or two sureties in the like amount. Anticipatory bail however is granted for a limited period till the receipt of Chemical Analyser's report by the Investigating Officer and till opinion regarding cause of death of deceased given by Doctor who had performed the post mortem or any other Doctor. The application is allowed in the above terms.

[V.M. KANADE, J.]